

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

EPICE CORPORATION	)	
	)	
Plaintiff	)	
	)	Ca. # 4:07CV00206 HEA
	)	
vs.	)	
	)	
THE LAND RITUALIZATION	)	
AUTHORITY	)	
OF THE CTY OF ST. LOUIS, et al	)	
	)	
Defendants	)	

DEFENDANTS MURPHY'S AND LEGGETT'S JOINT MOTION FOR  
ATTORNEY'S FEES.

Come now Defendants Murphy in his capacity as Sheriff of the Cty of St. Louis and the Collector of Revenue, City of St. Lous, by counsel, and move ths Honorable Court for a Judgment and award of Attorneys fees,, and in support thereof state:

1. This Cause was filed by the Plaintiff and against Defendants Sheriff and Collector, alleging certain civil right of the Plaintiff.
2. On December 4, 2009, this Court entered judgment in favor of these Defendants and against the Plaintiff.
3. During the course of discovery, Plaintiff's counsel acknowledged that he

believed that the Plaintiff did not have a valid cause of action against these Defendants.<sup>1</sup>

4. Defendants Sheriff and Collector are prevailing parties, and are entitled to an award of attorney's fees under the provisions of 42 U.S.C. SEC. 1988 (b).

5. Defendants attorney has expended a total of 239 hours, and at the rate of \$175.00 per hour would be entitled to \$41,825.00. A listing of the time, and dates on which work was done is attached hereto, and incorporated herein.<sup>2</sup>

6. Because Mr. Gephardt knew that the cause of action against these Defendants was improbable, he should be held personally responsible for the award.<sup>3</sup>

7. The undersigned swears that the matters set forth above are true and correct to the best knowledge and belief of the undersigned, subject to the penalties of making a false affidavit or declaration.

WHEREFORE, Defendants move an order of this Court awarding Counsel for the Defendants the total of \$41,825.00 and that the award and judgment be assessed against Plaintiff and Plaintiff's Counsel,, and such other orders as the court shall deem meet and just.

*Anthony J. Sestric*

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Attorney for the Sheriff and Collector

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and forgoing document has been  
electronically served upon the parties this 23rd day of December 2009 addressed  
to

Mr. Phllp K. Gebhardt  
Attorney at Law  
1720 No. Main  
Desoto, MO 63020  
Attorney for Plaintiff

Attorney for Defendants City of St.  
Louis and Land Reutilization  
Authority

and

and

Mr. Matthew C. Casey  
Casey & Devoti  
Attorneys at Law  
100 No. Broadway, Suite 1000  
St. Louis, Mo 63102-2704  
Attorney for Plaintiff

Mr. Robert M. Hibbs,  
Office of the City Counselor,  
City Hall, Room 314,  
1200 Market Street,  
St. Louis, Missouri 63103,  
Attorney for Defendants Land  
Reutilization Authority

and

Mr. Donald C. Dylewski  
Office of the City Counselor  
City Hall, Room 314  
1200 Market St.  
St. Louis, MO 63103

*Anthony J. Sestric*

1.